File No.HOM01-CRTS/111/2022-COURTS-B

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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Allegation of Corruption of demand and acceptance of bribe by Sri Peddyreddy Venkata Appa Rao S/o P. Chandra Rao, 52 years Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court, Adilakshmi Estate, Besant Road, Vijayawada - Trapped on 01.10.2018 – Sanction for Prosecution under the Prevention of Corruption Act 1988 – Accorded – Orders – Issued.

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HOME (COURTS-B) DEPARTMENT

G.O. Ms.No. 28 Dated13/02/2023

ORDER

1. WHEREAS, Sri Peddyreddy Venkata Appa Rao S/o P.Chandra Rao, 52 years, worked as Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court, Adilakshmi Estate, Besant Road, Vijayawada, R/o. Door No. 13-14-1, Ramamurthy Towers, Machavaram, Vijayawada, from 08.08.2018 to 01.10.2018. By virtue of the post held by him, he falls within the category of a "Public Servant" as defined under section 2(c) of Prevention of Corruption Act, 1988.

2. AND WHEREAS, Sri Gundu Hemasundara Mallikharjuna Rao, S/o late G.P. Ranga Rao, aged 60 years, is a native of Kankipadu, Krishna District. He is doing Finance business in name of M/s Devi Gayatri Financers since 2015 in D.No.16-109, Mandal office road, Kankipadu. As a part of it, on 09-12-2016, he had given loan of Rs.1,00,000/- on execution of promissory note to Sri Eda Sambasiva Rao and party @ Rs.2/- (flat) interest with a condition to repay the loan amount in monthly installments through the bank. Sri Eda Sambasiva Rao and party did not re-pay monthly installments. Due to which, he filed a civil suit in the Hon'ble VI Additional Junior Civil Judge Court, Vijayawada on 07-11-2017 and obtained decree vide OS No.512/2017 in his favour, and subsequently he filed EP No.02/2018 in the Honorable court. The Hon'ble court ordered the drawing officer to recover the amount of EP from the salary of Sri Eda Sambasiva Rao and deposit it in the Court. Consequently, Sri Eda Sambasiva Rao and another filed petitions in the Court through their advocates seeking set aside of the decree along with delay condone petitions vide IA No.145&146/2018. Sri Gundu

Hemasundara Mallikharjuna Rao also filed counters through his advocate on 10.09.2018 and the Hon'ble Judge adjourned the case to 26.09.2018 for orders. Sri Gundu Hemasundara Mallikharjuna Rao went to court on 25.09.2018 to verify the court diary for confirmation. Court Bench clerk/-cum-Jr. Assistant Sri Peddireddy Venkata Appa Rao told him to wait till the completion of court proceedings i.e., up to 5:30 PM. Later, the Sri Peddireddy Venkata Appa Rao, Bench Clerk called him and enquired how much money has to be recovered and informed him that the case was adjourned to 26.09.2018 for orders and assured him that the work would be completed successfully in IA No.145 & 146/2018 and also promised to give order copy unauthorisedly and demanded the bribe amount of Rs.25,000/-. Sri Gundu Hemasundara Mallikharjuna Rao disagreed with it and then Sri Peddireddy Venkata Appa Rao reduced his demand for bribe amount to Rs.10,000/- from of Rs.25,000/-. Then, the Sri Gundu Hemasundara Mallikharjuna Rao told him that he was not in a position to give a bribe amount of Rs.10,000/- and no need to get order copy unauthorisedly. Then, Sri Peddireddy Venkata Appa Rao told that if Sri Gundu Hemasundara Mallikharjuna Rao pays the bribe amount of Rs.10,000/- only, his work would be completed and instructed to pay the bribe amount either to him or any another person directed by him in a place informed by him and warned that if the demanded bribe amount is not paid, the counter copies will be misplaced from court records. Then, Sri Gundu Hemasundara Mallikharjuna Rao finally agreed to pay the bribe amount to Sri Peddireddy Venkata Appa Rao against his will. On 26.09.2018 at about 05:36 PM, Sri Apparao called from his mobile no.9848710235 to Sri Gundu Hemasundara Mallikharjuna Rao phone 9346133958 and further demanded for bribe. The conversation was recorded by Sri Gundu Hemasundara Mallikharjuna Rao on his mobile, transmitted into the memory card and enclosed it to report. Sri Gundu Hemasundara Mallikharjuna Rao requested to catch Sri Peddireddy Venkata Appa Rao, bench clerk red-handedly, while he receiving the bribe amount of Rs.10,000/- and to take legal action. As Sri Gundu Hemasundara Mallikharjuna Rao was not willing to pay the bribe to Sri Peddireddy Venkata Appa Rao, he came to the O/o DSP, ACB, Vijayawada at 20.00 hours on 26.09.2018, gave the written report and requested to take necessary legal action against Sri Peddireddy Venkata Appa Rao, Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court. He also submitted a memory card in which the conversation between Sri Peddireddy Venkata Appa Rao, Jr. Asst cum Bench Clerk and himself was recorded on his mobile phone.

Permission was obtained from Hon'ble High Court of Andhra Pradesh, by the

Director General ACB ,AP, Vijayawada, vide D.O. Lr No.2885/2018 vigilance cell dated 29-09-2018 of Registrar General and FAC Registrar (Vigilance) High Court of AP&TS Hyderabad, before laying trap.

3. AND WHEREAS, after following due procedure, the DSP, endorsed the report to the Inspector Sri G.Kennady, ACB, Vijayawada Range for verification of the genuineness of the report, antecedents of Sri Gundu Hemasundara Mallikharjuna Rao and the reputation of Sri Peddireddy Venkata Appa Rao. After satisfying with the verification report submitted by the Inspector, the DSP registered the written report of Sri Gundu Hemasundara Mallikharjuna Rao as a Case in Cr.No.09/RCT-VJA/2018 u/s 7 (a) of the Prevention of Corruption (Amendment) Act 2018, on 01.10.2018 at 02.45PM and took up investigation.

4. AND WHEREAS, after completion of pre-trap proceedings, the trap party left the O/o DSP, ACB, Vijayawada and reached the vicinity of the Hon'ble Court of VIth Addl. Junior Civil Judge Court, Besant Road, Vijayawada where Sri Peddyreddy Venkata Appa Rao was successfully trapped when he demanded and accepted the illegal gratification of Rs. 10,000/- from Sri Hemasundara Mallikharjuna Rao. When the fingers of both hands of Sri Peddyreddy Venkata Appa Rao were subjected to chemical test, they yielded positive results. The tainted amount of Rs.10,000/- was recovered from the possession of Sri Peddireddy Venkata Appa Rao from his left side shirt pocket at his instance. The inner linings of the shirt pocket that came into contact with the tainted bribe amount were subjected to chemical test, also proved positive. When compared the serial numbers of the recovered currency notes were found to tallied with those of the serial numbers of the currency notes handed over by Sri Gundu Hemasundara Mallikharjuna Rao during the pre-trap proceedings. The DSP seized the resultant solutions, shirt, the tainted amount of Rs.10,000/-, connected case file and records for the purpose of further investigation.

5. AND WHEREAS, the above said acts of Sri Peddyreddy Venkata Appa Rao S/o P.Chandra Rao, 52 Years Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court, Adilakshmi Estate, Besant Road, Vijayawada constitute the offence punishable under section7(a) of the Prevention of Corruption (Amendment) Act 2018.

6. AND WHEREAS, the Government of Andhra Pradesh, being the competent authority to remove Sri Peddyreddy Venkata Appa Rao S/o. P. Chandra Rao, 52 Years Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court, Adilakshmi Estate,

Besant Road, Vijayawada from service, after fully and carefully examining the material (i.e. copies of FIR, Mediators' Reports and final investigation Report etc.,) placed before the Government in respect of the said allegations and having regard to the facts and circumstances of the case consider that Sri Peddyreddy Venkata Appa Rao S/o P.Chandra Rao, aged 52 Years, Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court, Adilakshmi Estate, Besant Road should be prosecuted in a Court of Law.

7. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accords sanction for the prosecution of Sri Peddyreddy Venkata Appa Rao S/o P.ChandraRao, aged 52 Years, Jr. Asst cum Bench Clerk, Hon'ble VI Addl. Junior Civil Judge Court, Adilakshmi Estate, Besant Road for the above said offence punishable under section 7 (a) of the Prevention of Corruption (Amendment) Act 2018 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G SATYA PRABHAKAR RAO,
SECY(GSPR), SECRETARY TO GOVT(LAW)-LAW01

To
The Director General
Anti-Corruption Bureau
Andhra Pradesh
Vijayawada.